

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Criminal Case No.: 19-cr-20550

Plaintiff,

v.

Paul D. Borman
United States District Judge

DORIAN TREVOR SYKES,

Defendant. /

**ORDER DENYING DEFENDANT'S MOTIONS FOR COMPASSIONATE
RELEASE AND RELATED MOTIONS (ECF NOS. 240, 248, 250, 260, 261)
AS MOOT**

On April 21, 2021, Defendant filed a Motion for Compassionate Release/Sentence Reduction, Pursuant to § 3582 and First Step Act (ECF No. 240), citing a generalized fear of monkeypox as an extraordinary and compelling reason justifying his release. The government filed a Response in opposition (ECF No. 244), and Defendant filed a Reply brief (ECF No. 247). Defendant thereafter filed several more motions related to his request for compassionate release. (ECF Nos. 248, 250, 260, 261.)

Defendant Dorian Sykes secured his release from federal custody on February 2, 2024. Federal Bureau of Prisoner, FIND AN INMATE,

<https://www.bop.gov/inmateloc/> (searched Sykes, Dorian) (last visited March, 18, 2024).¹

Article III of the United States Constitution limits federal courts' jurisdiction to actual cases or controversies. *Iron Arrow Honor Soc'y v. Heckler*, 464 U.S. 67, 70 (1983). Under that case-or-controversy requirement, federal courts "lack jurisdiction to decide moot cases," *id.* (citing *Defunis v. Odegaard*, 416 U.S. 312, 316 (1974)), and a case becomes moot when the moving party no longer presents to the court a "live" issue. *Murphy v. Hunt*, 455 U.S. 478, 481 (1982) (quoting *U.S. Parole Comm'n v. Geraghty*, 445 U.S. 388, 396 (1980)). It is well-settled that a motion for compassionate release no longer presents a live issue when the United States has released the defendant from federal custody. *See United States v. Gandy*, No. 15-cr-20338-3, 2023 WL 4932077, at *3 (E.D. Mich. Aug. 2, 2023) (finding defendant's motion for compassionate release moot because defendant is no longer in custody); *see also United States v. Padilla*, No. 1:06-cr-00059, 2023 WL 2143464, at *1 (E.D. Cal. Feb. 21, 2023) ("When a prisoner is released from custody,

¹ The Court takes judicial notice of the BOP website and information contained therein. *See Gent v. CUNA Mut. Ins. Society*, 611 F.3d 79, 84 n.5 (1st Cir. 2010) (court may take judicial notice of the contents of federal agencies' websites that are not subject to reasonable dispute).

the motion for compassionate release becomes moot because there is no further relief this Court can provide.”) (citation omitted).

At the time of the filing of his motions, Defendant was serving his sentence at USP Coleman II in Florida. However, Defendant was released on February 2, 2024. Accordingly, his motions for compassionate release, and the related motions, no longer present a live issue. *See Gandy*, 2023 WL 4932077, at *3; *Padilla*, 2023 WL 2143464, at *1. Those motions are moot, and this Court lacks jurisdiction to decide them.

Accordingly, Defendant’s Motions at ECF Nos. 240, 248, 250, 260, and 261 are DISMISSED AS MOOT.

SO ORDERED.

Dated: 3/19/2024



Paul D. Borman
United States District Judge